8 March 2018

His Excellency
Mr. J.Jayasiri
Secretary General
Ministry of International Trade and Industry
Malaysia

Dear Secretary General,

In connection with the signing on this date of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (the "Agreement"), I have the honour to confirm the following agreement reached between the Government of the Socialist Republic of Viet Nam ("Viet Nam") and the Government of Malaysia with regard to Article 18.53 (Measures Relating to the Marketing of Certain Pharmaceutical Products) of the Agreement:

Viet Nam and Malaysia recognise that nothing in Article 18.53 (Measures Relating to the Marketing of Certain Pharmaceutical Products) of Chapter 18 (Intellectual Property) of the Agreement shall limit a Party to the Agreement from establishing conditions, limitations or exceptions when implementing the obligations set forth under that Article, provided that the Party continues to give effect to that Article.

I have the further honour to propose that this letter and your letter in reply confirming that your Government shares this understanding shall constitute an agreement between our two Governments, which shall enter into force on the date of entry into force of this Agreement for both Viet Nam and Malaysia.

Yours sincerely,

Tran Tuan Anh
Minister of Industry and Trade
Socialist Republic of Viet Nam

8 March 2018

His Excellency
Mr. Tran Tuan Anh
Minister of Industry and Trade
Socialist Republic of Viet Nam

Dear Minister,

I have the honour to acknowledge receipt of your letter of this date, which reads as follows:

"In connection with the signing on this date of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (the "Agreement"), I have the honour to confirm the following agreement reached between the Government of the Socialist Republic of Viet Nam ("Viet Nam") and the Government of Malaysia with regard to Article 18.53 (Measures Relating to the Marketing of Certain Pharmaceutical Products) of the Agreement:

Viet Nam and Malaysia recognise that nothing in Article 18.53 (Measures Relating to the Marketing of Certain Pharmaceutical Products) of Chapter 18 (Intellectual Property) of the Agreement shall limit a Party to the Agreement from establishing conditions, limitations or exceptions when implementing the obligations set forth under that Article, provided that the Party continues to give effect to that Article.

I have the further honour to propose that this letter and your letter in reply confirming that your Government shares this understanding shall constitute an agreement between our two Governments, which shall enter into force on the date of entry into force of this Agreement for both Viet Nam and Malaysia."

I have the further honour to confirm that the above reflects the agreement reached between the Government of Malaysia and the Government of the Socialist Republic of Viet Nam during the course of negotiations on the Comprehensive and Progressive Agreement for Trans-Pacific Partnership, and that your letter and this letter in reply shall constitute an agreement between the Government of Malaysia and the Government of the Socialist Republic of Viet Nam.

Yours sincerely,

J.Jayasiri
Secretary General
Ministry of International Trade and Industry
Malaysia